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Architectural Access Board

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Daniel Bennett
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Executive Director

Board Meeting Minutes – January 6, 2017

AAB Conference Room

Present Board Members:

- Walter White, Chair (WW)
- Diane McLeod, Vice Chair (DM)
- Jeffrey Dougan, Massachusetts Office on Disability Designee (JD)
- Andrew Bedar, Member (AB)
- Jane Hardin, Member (JH)
- Dawn Guarriello, Member (DG)

and

- Thomas Hopkins, Executive Director (TH)
- Kate Sutton, Program Coordinator/Clerk for Proceedings (KS)

Members Not Present:

- George Delegas, Member
- Raymond Glazier, Massachusetts Office on Elder Affairs Designee (RG)

- Meeting began at approximately 9:00 a.m.

1) Discussion: Board Member Roll Call

WW - all but GD and RG present

2) Incoming: Archer Hotel, 18 Third Ave., Burlington (V16-353)

TH - EXHIBIT – variance application and supplemental information
- variance for 31.7.5a, accessible shower grab bars

- L shaped grab bar proposed, in accordance with ADA Guidelines

JD - grant as proposed

DM - second – carries unanimously

3) Incoming: Agawam High School, 760 Cooper St., Agawam (V16-350)

TH - EXHIBIT – variance application and supplemental information
- new athletic facility and locker rooms
- proposing sign height in compliance with ADA guidelines

JD - grant as proposed

AB - second – carries unanimously

4) Incoming: Curb Cuts and Sidewalk widths, Pleasant St. @ Stoughton St, Cummins Hwy at Woodhaven St., Boston (V16-352)

TH - EXHIBIT- variance application and supplemental information
- width is 41” proposed

JD - grant as proposed

DG - second – carries unanimously

TH - second location, Cummins Hwy curb cut
- flares are 11.55% and 13.42%

DM - grant as proposed

JD - second – carries unanimously

5) Incoming: Mixed-Use Building, 40-44 Union St., New Bedford (V16-351)

TH - EXHIBIT- variance application and supplemental information
- front entrance seeking a variance for 25.1, no access to convenience store at first floor
- 3” at one edge of entrance and 7” at other

DM - deny

JD - second – carries unanimously

JD - contact petitioner to discuss possible alternatives

AB - second – carries unanimously

6) Incoming: Lowell House, Harvard University, 10 Holyoke Place, Cambridge (V16-362)

TH - EXHIBIT – variance application and supplemental information
- over 30%
- 7 variance requests

DM - place in packet for 1/23/17

DG - second – carries unanimously

7) Incoming: Market Basket, 40 Federal St., Lynn (V16-358)

- TH - EXHIBIT – variance application and supplemental information
- new construction
- proposing to install a LULA to mezzanine instead of full elevator

DM - grant as proposed, on condition LULA complies in full with 521 CMR
AB - second – carries unanimously

8) Incoming: Mixed Use building, 200 Homer Ave., Ashland (V16-368)

- TH - EXHIBIT – variance application and supplemental information
- partial application, 3.7
- no section numbers listed in question #7, sought variance for jurisdiction
- called the owner on January 5, 2017
- architect called him yesterday as well and amendments were required and also told me that elevator is planned later on
- freight elevator in the building, but no passenger elevator
- common areas are small, but work by tenant triggers full compliance for all public and common sue spaces for the owner
- will represent on the 23rd

DM - continue to the 1/23/17 meeting
AB - second – carries unanimously

9) Incoming: Bridge M-12-017, Route 16/Revere Beach Parkway, Medford (V16-360)

- TH - EXHIBIT – variance application and supplemental information
- seeking a variance to not provide a temporary alternate path of travel
- project is long enough to require turning spaces along the path of travel
- proposing 4' sidewalk at one side of the bridge for one year, during the construction work
- just a one year time variance

JD - grant as proposed to allow the 4' walkway for 1 year
AB - second – carries with DM abstaining

10) Incoming: Municipal Office Buildings, Various Locations, Taunton (V16-365)

- TH - EXHIBIT – variance application and supplemental information
- previous advisory opinion regarding signage, reviewed in May of 2016
- their signage complies with ADA Guidelines for height
- 23 buildings, all municipal buildings

DM - grant all as proposed
DG - second – carries with JD abstaining

11) Incoming: Epiphany School Expansion, 232 Center St., Dorchester (V16-349)

- TH - EXHIBIT – variance application and supplemental information
- new construction of early education, community activities, teacher housing and admin space
- one variance for 30.16.2, sink heights in childrens toilet rooms

DG - grant as proposed
DM - second – carries unanimously

12) Incoming: Babson College, Canfield Hall, 1 Map Hill Dr., Wellesley (V16-369)

TH - EXHIBIT – variance application and supplemental information
- 1970's existing building, 24 changes in level
- seeking complete relief for dormitory
- they already exceed 5% accessible dorm rooms, campus wide

DM - grant as proposed, on the condition that accommodation policy for participation in the fraternities is submitted, within 14 days receipt of decision

AB - second – carries unanimously

13) Incoming: 3-Story Brick Mill Building, 6 Brussels St., Worcester (V16-329 (individual tenant) & V16-363)

TH - EXHIBIT – variance application and supplemental information
- built in 1889, listed with Mass Historic
- small business group purchased the building
- opening of the hair salon on the third floor (V16-329), was a change of use and requires an accessible route from the accessible entrance
- freight elevator was removed
- just large staircases within the building up to the third floor
- first floor proposed to be accessible by February 2017, with entrance and bathroom
- formerly used as a carpet factory
- space was divided up into tenant spaces, prior to the current owner
- seeking 2 years to install the elevator, will cost \$140,000

JD - grant as proposed, with status reports starting 6/1/17, with submittal of deposit check and shop drawings submitted accordingly

AB - second – carries unanimously

14) Incoming: Hayden St. Stairway, Between Heath St. and Lawn St., Jamaica Plain (V16-357)

TH - EXHIBIT – variance application and supplemental information
- stairway in between two neighborhoods over a steep slope

JH - grant, on the condition that the stairs and handrails comply with 521 CMR

JD - second – carries unanimously

15) Incoming Discussion: Retail Building, 100 Worcester Rd., Framingham (V16-320)

TH - previously before us for ramp slopes, on 11/28/16 continued for spot measurement plan for both ramps
- EXHIBIT – 1/5/17 submittal of photographs and stamped drawings from architect, Livermore Architects
- slope is 8.44%, is the only area out of compliance based on current plans

DM - grant

AB - second – carries unanimously

16) Incoming: 14-Story Office Building, 10 Post Office Square, Boston (V16-355)

TH - EXHIBIT – variance application and supplemental information
- proposing incline wheelchair lift up to a conference room that is open to the public

DM - not a very wide stair, may be an egress issue

WW - depends on exit with requirements

TH - could get a variance from the BBRS for that width when the lift is in the down position
- won't be used that often, since it is a conference room

*DM - deny
- withdraw*

AB - require more information regarding the overall floor plan and dimensions of the stairs and the lift in the down position, as well as the use; submit within 14 days receipt

DG - second – carries unanimously

17) Incoming: BioMed, 50 Hampshire St., Cambridge (V16-354)

TH - EXHIBIT – variance application and supplemental information
- lab and office use
- 3.3.1b, work performed project
- clearance at the alternate stall door, they provide 45.5", required to be 48"

DM - grant as proposed

AB - second – carries unanimously

18) Incoming: Sidewalk Replacement at Pearl Street in front of Langahm Hotel, Boston (V16-356)

TH - EXHIBIT – variance application and supplemental information
- removal and replacement of sidewalk
- variance for apex curb cuts and cross slope
- used a 4' smart level, instead of 2' smart level

DM left the room

DG - deny

JH - second – carries unanimously

AB - require a meeting with staff regarding measuring a sidewalk

JH - second – carries unanimously

19) Incoming: Worcester Sports Center, 104 Harding St., Worcester (V16-364)

TH - EXHIBIT – variance application and supplemental information
- new construction
- restaurant at the first level (3,796 sq. feet; mezzanine 2,000+ sq. feet)
- proposing to use a vertical wheelchair lift within the restaurant space to access mezzanine
- there is an elevator within the ice rink space as well

- lift is 14' 10", need a variance from the elevator board for that length of travel

DM now present

- JH* - continue for more information, and have TH speak with Petitioners regarding specific concerns (i.e. specifics of plans), and meet with them as well
- JD* - second – carries unanimously

20) Incoming: Smith College Boat House, 1 Russell St., Hadley (V16-359)

- WJ - EXHIBIT – variance application and supplemental
- new construction, proposing to install a LULA in lieu of a full compliant elevator
 - because of proximity to water, elevator not feasible

- DM* - grant, on condition complies with LULA requirements of 521 CMR
- JH* - second – carries unanimously

21) Discussion: Education Residences, 46 Gordon St., Framingham (V16-204)

- TH - held decision on second entrance, stair handrails and nosings, from 11/14/16 hearing
- EXHIBIT – 1/5/17 Mary Feeney, attorney for SMOC wrote to the Board seeking an extension 3/20/17

- DM* - grant the extension to 3/20/17
- DG* - second – carries with JD abstaining

- DM* - expedite and add to decision
- DG* - second – carries with JD abstaining

22) Incoming: Commercial Building, 1210-1230 Washington St., West Newton (V16-367)

- TH - EXHIBIT – variance application and supplemental information
- over 30%
 - 5 variance requests
 - EXHIBIT – e-mail from Donald Lang, Architect of record, stating that he was meeting with the commission on disability on Monday night to discuss the variance

- DM* - put in packet for 1/23/17
- DG* - second – carries unanimously

23) Incoming: Salon Theory of Mansfield, 158 Copeland Dr., Mansfield (V16-366)

- TH - EXHIBIT – variance application and supplemental information; submittal received via e-mail on 1/5/17
- spending over 30%
 - seeking a variance for the lack of vertical access within the building to the second floor
 - already has to put a vertical wheelchair lift at the front of the building to get to the first floor

- DG - doesn't appear that duplicate services at the second floor
- different services at both floors

- JH* - continue for more information regarding services provided at both levels

- JD* - modify to grant lack of vertical access to the second floor, on the condition that submit clarification regarding services and verify that same services available at both floors, within 14 days receipt
- JH* - yes, amend variances
- JD* - second – carries unanimously

24) Incoming: Salon Theory of Mansfield, 158 Copeland Dr., Mansfield (V16-366) – cont'd

William Joyce, Compliance Officer for the Board present (WJ)

- WJ* - proposing a time variance, want to occupy prior to the lift being installed and inspected
- proposing the lift to be done by end of March/beginning of April
- JD*- grant a time variance to allow occupancy prior to the completion of the lift, which shall be completed and verified as such via the submittal of inspection certificate by 4/15/17
- DM* - second – carries unanimously

25) Incoming: Charlesbank Apartments, 650 Huntington Avenue, Boston (V16-361)

- TH* - EXHIBIT – variance application and supplemental information
- 43” by 70” for cab dimensions; 48” by 48” required
- EXHIBIT – video of person in wheelchair using the elevator, 3 videos of usage and 2 testimonials, submitted on 1/6/17
- will move the case to Monday (1/9/17) due to recent submittal
- significant renovation project, spending over 30%
- video shows testimonials for accommodation policy
- seeking relief to only make studios as Group 2 units
- cast in concrete 1970’s building
- WJ* - issue with connection
- TH* - the testimony from the tenants state that accommodation policy works, and additional packet of information submitted today by the Petitioners, including a survey taken by the residents
- JD* - move to 1/9/17 to review the new submittals
- DM* - second – carries unanimously

JD and WJ left the room

26) Discussion: Nahant Housing Authority, Spindrift Building, 194 Nahant Rd., Nahant (C14-018 and V15-048)

- TH* - hearing on August 22, 2016, proposed the installation of a full elevator, also required full analysis of 521 CMR
- EXHIBIT – 12/28/16 submittal from Neil Mongold including analysis and timeline
- work will be done by end of December 2017
- DG* - accept the time frames and proceed with additional work as noted
- DM* - second – carries unanimously

DM - expedite
DG - second – carries unanimously

- End of Meeting -

Matters not reasonably anticipated 48 hours in advance of meeting

- Education Residences, 46 Gordon St., Framingham (V16-204) - 1/5/17 Mary Feeney, attorney for SMOC wrote to the Board seeking an extension 3/20/17
- Retail Building, 100 Worcester Rd., Framingham (V16-320) - 1/5/17 submittal of photographs and stamped drawings from architect, Livermore Architects
- Nahant Housing Authority, Spindrift Building, 194 Nahant Rd., Nahant (C14-018 and V15-048) - 12/28/16 submittal from Neil Mongold including analysis and timeline

EXHIBITS:

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- Agawam High School, 760 Cooper St., Agawam (V16-350) - variance application and supplemental information
- Curb Cuts and Sidewalk widths, Pleasant St. @ Stoughton St, Cummins Hwy at Woodhaven St., Boston (V16-352) - variance application and supplemental information
- Mixed-Use Building, 40-44 Union St., New Bedford (V16-351) - variance application and supplemental information
- Lowell House, Harvard University, 10 Holyoke Place, Cambridge (V16-362) - variance application and supplemental information
- Market Basket, 40 Federal St., Lynn (V16-358) - variance application and supplemental information
- Mixed Use building, 200 Homer Ave., Ashland (V16-368) - variance application and supplemental information
- Bridge M-12-017, Route 16/Revere Beach Parkway, Medford (V16-360) - variance application and supplemental information
- Municipal Office Buildings, Various Locations, Taunton (V16-365) - variance application and supplemental information
- Epiphany School Expansion, 232 Center St., Dorchester (V16-349) - variance application and supplemental information
- Babson College, Canfield Hall, 1 Map Hill Dr., Wellesley (V16-369) - variance application and supplemental information
- 3-Story Brick Mill Building, 6 Brussels St., Worcester (V16-329 (individual tenant) & V16-363) - variance application and supplemental information
- Hayden St. Stairway, Between Heath St. and Lawn St., Jamaica Plain (V16-357) - variance application and supplemental information
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- Charlesbank Apartments, 650 Huntington Avenue, Boston (V16-361) - variance application and supplemental information; video of person in wheelchair using the elevator, 3 videos of usage and 2 testimonials, submitted on 1/6/17